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Uncertain future for Houston toxic river dump

Army Corps of Engineers suggests removal is as dangerous as leaving it

By Mark Collette and Matt Dempsey | August 10, 2015 | Updated: August 10, 2015 8:26pm

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Removing industrial waste from a 14-acre Superfund site on the San Jacinto River could be just as dangerous as leaving it in place, the U.S. Army Corps of Engineers suggested in a report published Monday.

Harris County has fought three companies

Photo: Gary Coronado, Staff

over the pollution for years, and the state

is considering whether there is a link
John Fuller, 43, ignores posted danger signs not to consume
between elevated cancer rates in the area

and the waste that fouled the river for decades. The companies have suggested the much-cheaper alternative - leaving the sludge buried in pits capped by membranes and rocks - is enough to protect the public. But the county and some cancer-plagued residents say the gunk has got to go.



Both sides are likely to find fodder in the exhaustive and highly technical 211-page Army Corps report, which considers dangers from erosion, tides, floods, storms, barge crashes and more. The report doesn't advocate for a particular cleanup option.

The U.S. Environmental Protection Agency sought the Corps' input after questions arose about the objectivity of the companies' own analysis. Jackie Young, who grew up near the pits, was frustrated by the report's ambivalence.

"Leaving the waste there under the cap does not meet the EPA's own guidelines," Young said. "Their mission is to protect human health and the environment. We're fighting to see them do that."

EPA officials could not immediately be reached for comment.

Already, Texas and Harris County settled a lawsuit for \$29 million with McGinnes Industrial Maintenance Corp. and Waste Management Inc., allegedly responsible for having paper mill wastes dumped on the riverbanks in the 1960s, including dioxins, carcinogens linked with a battery of potential health effects. The county is appealing a verdict won by the third company, International Paper.

More than 170 people in Highlands and Channelview, plus fishermen who for decades have eaten and sold their catches in the river and Galveston Bay, joined in the suits.

The settlement money isn't allowed to be used for medical expenses or cleanup at the site, under EPA jurisdiction. It's up to the EPA to decide what, if anything, the companies will have to do. Estimates to fully remove the contaminants from a portion of the site start at about \$104 million.

The Army Corps analysis "showed that the cap is expected to be stable and permanent, requiring only maintenance or repair following unusual catastrophic events," with leakage comparable to or smaller than losses from removing the waste altogether, according to a summary.

The report also suggested that removal using "best construction practices" could be just as effective as leaving a cap on the pits.

"There's no excuse for assuming they would not use the best practices in the world," Young said.

She fought for a cancer cluster investigation by the state and rallied the community around the site. In June, the state identified several census tracts near the river with greater-than-expected incidences of childhood cancers of the eyes, skin and brain. A state panel will study whether a deeper investigation - one that could determine a causal relationship - is feasible.

To Young, as long as the cap and the contaminants underneath remain, the community will live in fear.

She worries about what would happen if a hurricane hit the area, or if a barge struck and damaged the cap.

A spokesman for McGinnes called the report "comprehensive and fact-based," and said the company would follow the EPA's direction. A spokesman for International Paper also emphasized that company's cooperation. The EPA doesn't consider Waste Management a responsible party for the cleanup.

Leaving the waste in place isn't a good idea, said Rock Owens, an environmental attorney for Harris County. He said the cleanup also has to be handled correctly.

"It remains to be seen what the best way to do this is," Owens said.



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